

QUIN DENVIR, Bar #49374
Federal Defender
TIMOTHY ZINDEL, Bar #158377
Assistant Federal Defender
801 I Street, 3rd Floor
Sacramento, California 95814
Telephone: (916) 498-5700

Attorney for Defendant
ANTHONY A. VALLIER

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR. S-04-0352 MCE
)	
Plaintiff,)	
)	STIPULATION AND ORDER
v.)	MODIFYING MOTIONS SCHEDULE
)	
ANTHONY A. VALLIER,)	
)	
Defendant.)	Date: August 23, 2005
)	Time: 8:30 a.m.
_____)	Judge: Hon. Morrison C. England Jr.

IT IS HEREBY STIPULATED AND AGREED between plaintiff, United States of America, and defendant, Anthony Vallier, through their attorneys, that the schedule for briefing and hearing on a motion to suppress evidence may be amended as follows:

1. The motion and a supporting memorandum shall be filed by August 23, 2005;
2. Any opposition to the motion shall be filed by September 20, 2005;
3. A reply brief may be filed by October 4, 2005;
4. Hearing on the motion shall be held October 11, 2005, at 8:30 a.m. (Should it be necessary to hear evidence in order to decide the

1 motion, an evidentiary hearing may be scheduled at a later date and
2 time.) In light of the new hearing date, the hearing scheduled for
3 August 23, 2005, may be vacated.

4 So that defense counsel will have sufficient time to complete
5 necessary factual investigation and legal research, to draft the motion,
6 and to assemble the supporting papers, the parties also agree that the
7 ends of justice to be served by a continuance outweigh the best interests
8 of the public and Mr. Vallier in a speedy trial and that time under the
9 Speedy Trial Act may be excluded through the date the motion is filed
10 and, specifically, through the hearing on October 11, 2005, pursuant to
11 18 U.S.C. § 3161(h) (8) (A) and (B) (iv).

12 Respectfully submitted,

13 QUIN DENVIR
14 Federal Defender

15 Dated: July 15, 2005

/s/ T. Zindel
TIMOTHY ZINDEL
Assistant Federal Defender
Attorney for ANTHONY A. VALLIER

18 MCGREGOR SCOTT
19 United States Attorney

20 Dated: July 15, 2005

/s/ M. Stegman
MATT STEGMAN
Assistant U.S. Attorney

22 /////

23 /////

24 /////

25 /////

26 /////

27 /////


28 /////

O R D E R

The above schedule is adopted and time under the Speedy Trial Act is excluded through October 11, 2005, for the reasons stated and by agreement of the parties. Pretrial motions shall be heard on October 11, 2005, rather than the previously-set date of August 23, 2005.

IT IS SO ORDERED.

Dated: July 20, 2005



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE